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C O N F I D E N T I A L SECTION 01 OF 03 ABUJA 000142

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DEPARTMENT FOR AF A/S FRAZER, AF/W, AND EB  
PASS TO NSC PITTMAN

E.O. 12958: DECL: 01/04/2017  
TAGS: [PGOV](#) [ECON](#) [EFIN](#) [EINV](#) [NI](#)  
SUBJECT: PRESIDENT YAR,ADUA ON: RIBADU MISSTEP, PFIZER,  
BIT, AND OTHER ISSUES

REF: A. (A) ABUJA 2627  
[1](#)B. (B) ABUJA 2615  
[1](#)C. (C) ABUJA 2604

Classified By: Ambassador Robin Sanders for Reasons 1.4 (b, c, & d).

Action request paragraph 8.

[1](#)1. (C) Summary: The Ambassador had a January 3, 2008 audience with Nigerian President Umaru Musa Yar'Adua to discuss a range of issues, mostly notably the current political environment and outcry surrounding the December 27, 2007, announcement by the GON to transfer to a study tour Nigeria's Economic and Financial Crimes Commission (EFCC) Chair and the country's well-know anti-graft czar, Mallam Nuhu Ribadu. She took advantage of the meeting to also raise Pfizer, get forward movement on the BIT, and other issues, such as Lemna International's desire to rehab the country's North-South railway for USD 6 billion below the Chinese offer. On Ribadu, Yar'Adua said this was a "political misstep and a mess," but that he had been put in an "untenable position" by Police Inspector General (IGP) Mike Okiro, as the latter's memo on transferring the anti-graft czar had been leaked to the press as a "fait accompli" before he "even made a decision." He said he got "blinded-sided" by the public leak of the IG memo, but believes it was intentionally done to force his hand to sign the transfer. The IGP had raised the Ribadu issue with him December 23-24, but not directly via conversation. He had just included Ribadu's name in the list of others slated for study. Yar'Adua noted he told the IGP on December 26 that he wanted to discuss the issue -- after that, the leak took place. Hence, on December 28 he weighed whether to sign the transfer or not, given the "political mess already out in the public arena" (ref b). But, he said in the end that the "government's credibility and the risk of undermining the ability to control the police force, far outweighed the transfer." Yar'Adua added that despite press reports he has no "intention" of appointing a new EFCC Chair, and hopes to ride out the political tide for a few months to bring Ribadu back without hurting or fueling a perception that his government is weak, waffling. For now, Ribadu would still be the titular head of EFCC. Yar'Adua said he wanted to assure POTUS, the Secretary, and A/S Frazer that he had in "no way changed his convictions on fighting corruption and supporting transparency." They should understand that he is even more committed after this issue, and how it was handled, and the messy environment and distrust it has created.

Yar'Adua still seemed mad about the issue as he checked his words on several occasions, and clearly stated his hand had been forced with the press leak of the IGP's memo by "those who wanted a specific outcome" -- Ribadu's EFCC removal. The leak itself also showed a lack of respect for transparency in his view. We will see how all this plays out

over the next few months. Meanwhile, the press here continues to have a field day. The Mission will need to weigh Yar'Adua's version of events against some of Ribadu's pointed comments about him and his Administration and the reported financial agendas of some of its players, such as the Police IG (ref A). There may be both truth and hyperbole in both conversations. End Summary.

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Yar'Adua on Ribadu  
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12. (C) The Ambassador met with Nigerian President Umaru Musa Yar'Adua January 3, 2008, principally to express U.S. concern over issues surrounding the transfer of the country's top cop on corruption, Economic and Financial Crimes Commission (EFCC) Chairman, Mallam Nuhu Ribadu. The Ambassador noted that following the Nigerian President's U.S. trip and discussions with POTUS and the Secretary, as well as the U.S. business community, on his commitment against corruption, not only did the situation look bad, but the pending transfer of Ribadu appeared to be a reversal on his Washington statements. Yar'Adua agreed that all this looked bad, but said he wanted to explain to the Ambassador the chronology of events. He also wanted to stress that he was as committed as ever to transparency, the continued work of the EFCC, and the rule of law. The Nigerian President opened with the salvo that he had gotten "blinded-sided" on the Ribadu issue as Inspector General of Police Mike Okiro had tried to get him to approve a memo on study transfers as he walking down the stairs to leave the Villa for an out of town trip earlier in the week of December 24, 2007. He said he noticed Ribadu's name was in the memo, along with others.

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13. (C) The President claimed that he told the IGP that he was not going to make a decision on the issue and wanted to delve into it further. After that encounter, Yar'Adua said the IGP's memo was "intentionally leaked to the press by those who wanted to force his hand to transfer Ribadu." Frankly speaking, the President said, "I was in an untenable position by December 28, given the public leak, so a non-decision had to become a decision in the end." Without him supporting the transfer by that time, there was a danger of two things, he continued, a real "blow to government's credibility on coordination, in the eyes of the public," and more importantly, "the risk of not being able to control the police if the IGP was "hung out to dry on this issue." He noted that "things were so out of control in the press by December 28, that I had no choice but to sign the transfer."

14. (C) The Ambassador asked if the President had plans to bring on a new chairman or was there a way for him to reconsider his decision or allow Ribadu to be dual hatted in some way while attending his course. Yar'Adua said he had no plans to appoint a new EFCC Chairman and wants to wait until things die down, adding that he was not removing Ribadu's Chief Operations Officer Ibrahim Lamorde, as was reported in the press. Lamorde will "manage the EFCC until I can bring Ribadu back on seat, if that is possible, given the political mess right now," he commented. With Lamorde handling day-to-day operations, the EFCC should still have the same vigor. The Nigerian President added that Ribadu will still be the titular head of the EFCC, and will still have some influence in the Commission. Without saying specifically he did not like Ribadu's "style" of getting things done, Yar'Adua admitted that he had "problems with the personalization of the EFCC" as in the end "it is best if all Nigerian institutions can become real institutions with the right capacity and respect." He lauded Ribadu's work to date, and reiterated that he plans to bring him back on, "if and when things cool down a bit," and if he could do it in a way that did not further undermine "him, government, or government coordination in the eyes of the public." (Note: Ribadu himself in a January 2 telcon told the Ambassador that

he heard some positive news, but not a complete change, on developments for his future. End note.) The President was also clear that he reserved his prerogative not to bring the EFCC Chair back if things did not cool down over time, or if he thought later that in the end it was not best for the government's credibility. In summing up, Yar'Adua said he would keep in touch and that the Ambassador had access to him at anytime. He said to reassure both POTUS, the Secretary, and A/S Frazer that he had not faltered or wavered on his commitment to the rule of law, EFCC's mandate and goals, or transparency, but he had been badly burned on how this played out in public and he had been forced into this untenable political situation.

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Pfizer and Lemna International  
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15. (C) The Ambassador took advantage of the audience with Yar'Adua to try to move the ball along on the Pfizer and Lemna International issues. On Pfizer, the Ambassador noted that it was important that there was a real dialogue on seeking a resolution to the issue, including ensuring that there were no arrests. She added that she hoped the President could identify a person(s) in his administration that could be the point of contact on the issue so that we could try to obtain a resolution. Yar'Adua said he was aware of the Pfizer issue and agreed with the Ambassador that an "amicable" resolution was best, and that he too sought a non-court solution to the problem. The President said he would ask the Attorney Generals of the Federal Government and Kano to meet with the Ambassador upon her return from the U.S., and that she should call him directly upon return in order to set things up. Moving on to the case of Lemna International's desire to help rehabilitate the country's North-South railroad, the Ambassador only highlighted that their proposal was 6 billion USD under that proposed by the Chinese. Yar-Adua said he was aware of the Chinese proposal, but not the one from Lemna, was pleased with the lower bid, and would take a look at the proposal.

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Bilateral Investment Treaty  
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16. (C) Continuing with the private sector theme the discussion had taken, the Ambassador reviewed her earlier discussion with the President on December 14, 2007, in

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Washington regarding a bilateral investment treaty (BIT) with the United States - noting that after his presentation at the D.C. business roundtable, U.S. companies would be looking for this type of framework as a tangible sign of his commitment to best business practices and support for foreign investors (ref c). He said that he was very supportive of a BIT and that he would prepare his team accordingly to begin discussions with us. He asked when we could have a team come out for discussions. The Ambassador said she would first notify Washington that he had again reiterated his support for a BIT, and saw the BIT as a critical part of the U.S.-GON new partnership. She would also ask how soon a team could come out for preliminary discussion, and left a copy of the BIT treaty template as well as background information.

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Washington Trip Follow-up  
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17. (C) The Ambassador noted that the President would be on travel for the last two weeks of January going to Davos, a Least Developed Nations' conference and then on to the African Union meeting on January 31, but wondered if she could come to see him just after with 3-4 members of her team to truly have a working meeting on follow-up. She noted that her team was busily pulling together points to highlight to

him what the USG was already doing to support democracy, governance, security, and transparency in Nigeria, as well as things that were in the pipeline on military cooperation, etc. Yar'Adua stood ready for such a meeting, and said he would have a team ready to dialogue on a trip follow-up session -- all the Ambassador had to do is call and he would set the time himself.

¶8. (C) Action Request: Now that we have twice had Yar'Adua's commitment on a BIT, Mission seeks to request a time table as to when a USG team could come out to Post for preliminary discussions on this issue as the ball is now back in our court.

¶9. (C) Comment: On the Ribadu transfer issue, the truth probably lies somewhere in the middle between the President's account and Ribadu's (ref a). But the one reassuring thing, if we must find one, is that at least for now, we do not see any evidence of Yar'Adua being involved in anything corrupt. But what he may suffer from is a lack of the cut-throat gene which may be required to deal with some of the political figures around him. He clearly got burned on this issue regardless of whether his version or Ribadu's is closer to what really happened. Also Ribadu probably did not help himself either as he admitted and knew that the President had sensitivity to his style and had previously told him so. Given Yar'Adua's demeanor, malicious intent just does not seem to be his style either, but maybe some rural naivety remains, which instances like this should cure him of -- hopefully -- sooner rather than later. If not, he will continue to have these missteps, and the government's credibility that he sought to protect during the Ribadu fiasco by signing off in the end on a decision he reportedly had not really made, will be hurt not by others but by him. For now, let's go with the benefit of the doubt, and see if he is able to hold open the EFCC Chief's slot to which he can eventually return.

SANDERS